## THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CIVIL CASE NO. 1:16-cv-00390-MR-DLH

TOMMY WILLIAM LINEBERGER and spouse MARCELLA WILSON LINEBERGER,	) ) )
Plaintiffs,	)
vs.	ORDER
CBS CORPORATION, et al.,	)
Defendants.	) )
	,

**THIS MATTER** is before the Court on the parties' Joint Motion to Dismiss [Doc. 161].

Upon review of the parties' motion,

IT IS, THEREFORE, ORDERED that the parties' Joint Motion to Dismiss [Doc. 161] is **GRANTED**, and all of the Plaintiffs' claims against the Defendant Sears Roebuck and Co. are hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Signed: January 31, 2018

Martin Reidinger
United States District Judge